

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHELSIE R. SMITH,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 16-10492

Honorable Nancy G. Edmunds

**OPINION AND ORDER ADOPTING THE MAGISTRATE JUDGE'S
JANUARY 31, 2017 REPORT AND RECOMMENDATION [30]**

In a report and recommendation ("R & R") issued on January 31, 2017, Magistrate Judge David R. Grand recommends that the Court grant in part Plaintiff Chelsie R. Smith's motion for summary judgment or remand, deny the Defendant Commissioner of Social Security's motion for summary judgment, and remand this matter for further administrative proceedings. Neither party has filed objections to the R & R, and the deadline for doing so has passed. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, No. 09-10933, 2012 WL 3639070, at *1 (E.D. Mich. Aug. 24, 2012) (citation omitted). Nonetheless, having reviewed the R & R, the parties' underlying motions, and the administrative record, the Court concurs in the Magistrate Judge's analysis, and therefore ACCEPTS and ADOPTS the Magistrate Judge's R & R.

Accordingly, it is hereby ordered, for the reasons stated in the R & R, that Plaintiff's June 27, 2016 motion for summary judgment or remand [22] is GRANTED IN PART, that

Defendant's September 28, 2016 motion for summary judgment [26] is DENIED, and that this matter is remanded to the Defendant Commissioner under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 28, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 28, 2017, by electronic and/or ordinary mail.

s/Carol J. Bethel
Case Manager